



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
FILING COMPLETION UNDER RULE 53(f)

In re PATENT APPLICATION of

Inventors: Keith D. ALLEN

Appln. No.: 09/972,741

Filed: Oct ber 5, 2001

Title: Transgenic Mice Containing Magnesium-  
Dependent Protein Phosphatase Gene  
Disruptions

Order/Docket No.

Deposit Account No.

Customer No.

R-723-CIP

50-1271

26619

Date: January 16, 2002

Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

The following **completes the filing** under Rule 53(f) of the above-identified patent application:

1. ☒ Enclosed is a copy of the Notice to File Missing Parts.
2. ☒ Signed Declaration enclosed: ☒ Original ☐ facsimile/copy
3. ☒ Enclosed is an Assignment and cover sheet. Please return the recorded Assignment to the undersigned.
4. ☒ Enclosed are Formal Drawings containing Figures 1 through 2B in compliance with 37 CFR 1.84(g).
5. ☒ Enclosed is the sequence listing on paper and a diskette containing said sequence listing.
6. ☒ Applicants state that the content of the sequence listing information recorded in computer readable form is identical to the paper copy of the sequence listing and includes no new matter, as required by 37 CFR §1.821.
7. ☒ Applicants hereby claim "small entity" status in accordance with 37 CFR §1.27.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELS							
8. Basic Filing Fee					\$370.00	\$ 370.	201
9. Total Claims		92	minus 20 =	72	x 9.00	+ 648.	203
10. Independent Claims		33	minus 3 =	30	x 42.00	+ 1,260.	202
11. Multiple Dependent Claims					140.00	+ 140.	204
12. Surcharge for filing Declaration/filing fee late					65.00	65.	205
13. FILING FEE: <input type="checkbox"/> CHARGE AUTHORIZATION <input checked="" type="checkbox"/> ENCLOSED =					\$2,483.00		
14. Original due date: <b>December 31, 2001</b>							
15. Petition is hereby made to extend the original due date to cover the date of this response, for which the requisite fee is enclosed.					\$ 55. / 200. 460. / 720.	+ 55.00	215
16. If an Assignment is included, add recording fee.					\$ 40.00	+ 40.00	581
TOTAL FEE (enclosed):					= \$2,578.00		

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any missing fees required, or credit any overpayment, to our Account/Order No. shown above, for which a duplicate copy of this sheet is enclosed.

DELTAGEN, INC.

740 Bay Road  
Redwood City, CA 94063  
Tel: (650) 569-5100  
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*Mariette A. Lapi*  
MARIETTE A. LAPIZ, Reg. No. 44,202

02/26/2002 RHARIS1 00000045 09972741

07 FC:215

55.00 OP

I, Deborah A. Mojarro, certify that the enclosed papers are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231, on January 16, 2002.  
January 23, 2002

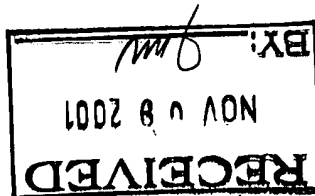
*Deborah A. Mojarro*  
Deborah A. Mojarro

R-723-CIP/MAL

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972.741	10/05/2001	Keith Allen	R-723-CIP

**DELTAGEN, INC.**  
740 Bay Road  
Redwood City, CA 94063



DUE: 12/31/01  
FVL: 05/31/02

CONFIRMATION NO. 5377  
FORMALITIES LETTER



\*OC000000007000093

Date Mailed: 10/31/2001

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/15/2002 Y6IZAM 00000003 09972741

01 FC:203

**612.00 00**

**FILED UNDER 37 CFR 1.5**

Adjustment date: 04/15/2002 Y61ZAN

5. 00308/2002 YBIZAW 00000018 09972741

01 FC:203

**-630.00 OP**

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.

- Total additional claim fee(s) for this application is \$2030.

- **\$630** for **70** total claims over 20.
- **\$1260** for **30** independent claims over 3 .
- **\$140** for multiple dependent claim surcharge.

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application as the one above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 2465.

The application is informal since it does not comply with the regulations for the reason(s) indicated below:

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention

Repln. Ref: 04/08/2002 Y6IZAW 13253000

REP: 304271 Name/Number: 0997224A

CR 10997274

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is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE